

Notice of Allowability

Application No.

10/807,488

Examiner

Jeff Wollschlager

Applicant(s)

SWANSON, RONALD P.

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment to the claims filed October 31, 2007.
2. ☒ The allowed claim(s) is/are 16-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview (voicemail) with Ms. Nicole Einerson on January 16, 2008.

The application has been amended as follows:

Claims 24 and 25 have been canceled.

Claim 16 (amended): A method of inducing a plastic deformation in a web of indeterminate length, wherein the web has a first side and a second side, the method comprising:

creating a web path for a web of indeterminate length, the web path including a first portion, a second portion, and a third portion,

wherein the first portion is defined at least partially by a first rotating member, the second portion is defined at least partially by a second rotating member and the third portion is defined between the first rotating member and the second rotating member,

wherein the first and second rotating members are co-rotating members, the web path including the location where the web initially contacts the first rotating member and the location where the web leaves the second rotating member;

passing the web of indeterminate length through the web path, wherein there is no

contact with the web along the web path on the second side of the web in the first, second, and third portions of the web path;

inducing a plastic strain in the web when the web is passed through the third portion of the web path, the third portion forming a radiused section in the web having an effective radius, wherein the first rotating member and the second rotating member are stacked substantially vertically with respect to one another and the radiused section of the web is oriented substantially horizontally in the third portion of the web path;

measuring the distance that the radiused section of the web extends into the third portion of the web path with a sensor to determine at least one of a measured position and a measured radiused section;

creating a signal based on at least one of the measured position and the measured radius; and

controlling the effective radius based on the signal while the web is moving through the web path.

Claims 16-20 are allowed. The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or suggest a method of inducing a plastic deformation into a web of indeterminate length wherein there is no contact with the web along the web path on the second side of the web in the first, second and third portions of the web path as defined in the claims and wherein the co-rotating members are stacked substantially vertically with respect to one another in combination with the other features instantly claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JW

Jeff Wollschlager
Examiner
Art Unit 1791

January 18, 2008


CHRISTINA JOHNSON
SUPERVISORY PATENT EXAMINER